

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----x
BEST BRANDS CONSUMER PRODUCTS, INC., et ano.,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 8/29/22

Plaintiffs,

-against-

22-cv-7260 (LAK)

CA CITIZEN PROTECTION GROUP, LLC,

Defendant.

-----x

ORDER

LEWIS A. KAPLAN, *District Judge.*

Jurisdiction in the action purportedly is based on diversity of citizenship, the complaint alleging that plaintiffs are citizens of New York and New Jersey and that the defendant a corporation organized under and having its principal place of business in California.

The allegation that defendant is a corporation is questionable for two reasons. The appellation LLC attached to its name normally signifies limited liability company, not corporation. And an internet check of defendant's name on the relevant official web site of the California Secretary of State indicates that the defendant in fact is a limited liability company – and, indeed, that its status is "suspended."

Assuming that the defendant in fact is a limited liability company, as appears quite likely, the complaint does not adequately allege complete diversity of citizenship, as a limited liability company is a citizen of every state of which any of its members is a citizen.

Accordingly, absent the filing, on or before September 7, 2022 of an amended complaint adequately alleging the existence of subject matter jurisdiction, this action will be dismissed.

SO ORDERED.

Dated: August 26, 2022

/s/ Lewis A. Kaplan

Lewis A. Kaplan
United States District Judge